In the High Court of Punjab and Haryana, Chandigarh.

CWP No. 4930 of 2007

Date of Decision: 02.04.2007

Kanwaljit Singh

....Petitioner

Versus

State of Punjab and others.

....Respondents.

Coram:- Hon'ble Mr.Justice J.S. Khehar.
Hon'ble Mr. Justice S.D. Anand.

Present: Mr. D.S. Patwalia, Advocate
for the petitioner.

...

J.S. Khehar, J. (Oral).

The petitioner was holding the post of Assistant Plate Maker, at the Government Press, Mohali, in the year 2004. At the aforesaid juncture, as is apparent from the pleadings in paragraph 2 of the writ petition, the petitioner submitted a representation, claiming transfer on compassionate grounds. The petitioner disclosed, that his entire family, including his aged parents, his wife and two minor children were stationed at Patiala, and he should, accordingly, be transferred to Patiala. The request made by the petitioner was acceded to, and the following order was passed on 8.6.2006:-

> "In the public interest Shri Kanwaljit Singh, Assistant Plate Maker, Government Press, Mohali alongwith the post is being transferred at Government Press, Patiala.
>
> This order will implement with immediate effect."

It is surprising, that the aforesaid order was passed transferring the petitioner in public interest, whereas, the petitioner concededly claimed transfer in his own individual interest.

The order of the petitioner's transfer dated 8.6.2004, from Mohali to Patiala, has been annulled by the impugned order dated 26.3.2007. Through the instant writ petition, the petitioner has impugned the aforesaid transfer order dated 26.3.2007. As a matter of emphasis, learned counsel for the petitioner has invited our attention to the endorsement at Sr. No.1, under the impugned order of transfer, wherein, a copy of the impugned order dated 26.3.2007, has been forwarded for information to the Secretary of the Minister, Jails, Transport and Agricultural Matters and Printing and Stationary, Punjab. This endorsement, according to the learned counsel for the petitioner, has been made with respect to a note bearing No.113 dated 19.3.2007. According to the learned counsel for the petitioner, the note itself vitiates the impugned order dated 26.3.2007 on the ground, that the same is malafide. It is not possible for us to draw any such conclusion at all, from the impugned order dated 26.3.2007 or from the endorsement, referred to by the learned counsel for the petitioner. It is apparent, that the original transfer order of the petitioner to Patiala, was wrongfully described as in public interest. The order has now been corrected by the issuance of a subsequent order dated 26.3.2007, whereby the original position has been restored.

We find no infirmity in the action of the authorities. The instant writ petition is, accordingly, dismissed.

(J.S. Khehar)
Judge.

(S.D. Anand)
Judge.

02.04.2007
sk.